IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

WRIT PETITION NO.4045 OF 2002
WITH
CIVIL APPLICATION 65 OF 2003

Dr. Amol B. Nade. ... Petitioner.
Vs.
Maharashtra Institute of Medical
Education & Research & Ors. ... Respondents.
....
Mr. G.S. Godbole for the Petitioner.
Mr. P.B. Shah for Respondent Nos.1 and 6.
Ms. Simran Puri for Respondent No.2.
Mrs. M.P. Thakur, AGP for Respondent Nos.3 and 4.

WITH

WRIT PETITION NO.3416 OF 2002

Maharashtra Academy of Engineering
& Educational research, Pune. ...
Petitioner.
Vs.
Medical Council of India & Ors. ...Respondents.
....
Mr.P. B. Shah for the Petitioners.
Ms. Simran Puri for Respondent No.1.
Mrs. M. P. Thakur, AGP for the Respondents.
.....
CORAM : F.I. REBELLO, J. AND
DR.D.Y.CHANDRACHUD, J.

February 2, 2006.

P.C.

Heard Counsel for the parties. Parties agree that the College has now been recognised. The only issue is of the

consequence of recognition. Dr. K.K. Arora, Joint Secretary, Medical Council of India, has filed an affidavit dated 6th September 2002. In para 2 of the affidavit, it is set out as under:

> "Once recognition is granted, it is effective from the first batch of students passing out from the institution that has obtained valid permission for admitting the students."

From this, it is clear that once the College is recognised, all the students from the first batch onwards, would be entitled to have their degree course recognised. The apprehension of the College and of the students, therefore, does not survive.

It was also pointed out to us that pending the petitions, the students who had passed out, were permitted to join the Post Graduate Courses. Considering that now the degree is recognised, there is no difficulty in the students continuing their Post Graduation. This apprehension of the Petitioners also, therefore, no longer survives.

With the above observations, both the Petitions and also Civil Application stand disposed of. In the circumstances of the case, there shall be no order as to costs.

(F.I. Rebello, J.)

(Dr. D.Y. Chandrachud, J.)